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09/149,650	09/08/1998	JARED SCHUTZ POLIS	PROFLOWERS-P	5293
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EXAMINER MONFELDT, SARAH M				
ART UNIT 3692		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/149,650

Applicant(s)

POLIS, JARED SCHUTZ

Examiner

SARAH M. MONFELDT

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-325 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-325 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date: _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION
Status of Claims

1. This action is in reply to the Appeal Brief filed on 28 July 2008.
2. Claims 1-325 are currently pending and have been examined.

New Examiner

3. Please note that this application has been assigned to a new Examiner, Sarah Monfeldt. Applicants are invited to contact the Examiner with any questions or concerns at 571-270-1833.

Claim Objections

4. Claims 1-325 are objected to because of the following informalities: Claims 1-325 are objected to for the recitation of "signal(s)". The Examiner notes that the claims are not specifically directed to a "signal" but incorporate "signal(s)" for data transfer within the claims. It is suggested Applicants amend claims by removing the term signal(s). Appropriate correction is required.
5. Claim 153 is objected to since it recites "The method of claim 1, further including the step of communicating an email confirmation of the order The method of claim 2, further including the step of communicating an email confirmation of the order" as amended 22 August 2006. It does not appear that this claim has been amended to indicate the proper dependency, appropriate correction is required.
6. Claim 44 is objected to since the claim recites "Blue Mountain" which is a trademark. Please note trade name is used to identify a source of goods, and not the goods themselves. Appropriate correction is required.

Specification

7. The use of the trademark Blue mountain has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.
8. Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 16 and 32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These claims recite "wherein the step of shipping includes shipping the product in packaging displaying a network address to facility an electronic communication form an ordering system, including a computer, to the order center". It is not clear what applicants are attempting to encompass with the recitation of "packaging displaying a network address". Appropriate correction and clarification is required.
11. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, "the sheet" lacks antecedent basis. It appears that the claim is missing a limitation, please refer to claim 21. Appropriate correction is required.

Double Patenting

12. Claim 34 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 140. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).
13. Claim 41 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 84. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).
14. Claim 42 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 85. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

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15. Claim 268 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 269. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

18. Claims 1-3, 5-8, 10-23, 25-37, 39-42, 49-119, 121, 125, 128, 130, 133-146, 148, 150, 152, 268-305, 307-310 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369).

Examiner's Note: The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Claim 1 –

As per claim 1, Hutton at least at col. 3, l. 40 through col. 6, l. 45, disclose a *method for using an order center apparatus to ship a product* having the limitations of:

- producing signals for an order of the product with the order center apparatus, located at the order center;
- *the order center apparatus including a computer having a programmed processor;*
- *shipping the product from the distribution center.*

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Hutton does not explicitly disclose:

- *producing signals representing a packing list for an order of the product with the order center apparatus, located at an order center,*
- *assigning waybill shipping information signals to the order with a shipping apparatus including a digital computer;*
- *linking, by digital communication, the signals representing the packing list with the waybill shipping information signals;*
- *receiving the signals representing the packing list at a printer device at a distribution center located separately from the order center;*
- *printing the packing list at the printer device;*
- *shipping the product specified by the packing list, in accordance with the waybill shipping information signals.*

Tackbarry et al. and Slotznick in view of Bartl, Lambert et al., Wojcik et al., Dudle et al. and Nicholls et al. teach *producing signals representing a packing list for an order of the product with the order center apparatus, located at an order center; assigning waybill shipping information signals to the order with a shipping apparatus including a digital computer; linking, by digital communication, the signals representing the packing list with the waybill shipping information signals; receiving the signals representing the packing list at a printer device at a distribution center located separately from the order center; printing the packing list at the printer device; shipping the product specified by the packing list, in accordance with the waybill shipping information signals* (see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton to include (1) inserting a gift with the selected card and choosing the method by which the card is sent, i.e. Federal Express, United Parcel Service, United States Mail, or Overnight Delivery as taught by Tackbarry et al., (2) inputting the order (i.e. flowers, greeting cards, etc.) via a kiosk or personal computer which digitizes and encodes the input data for transmission to a central hub or server through a communication medium or transmission system which includes networks (such as the internet), telephone systems, facsimile, etc. and at the central hub a modem reconstitutes the data into an electronic form usable by the CPU in which one or more output devices are connected, i.e. card stock or other merchandise feeder and a modem, in which the feeder

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stores and fees merchandise such as card blanks to a printer or other equipment for personalizing and encoding merchandise, in addition the modem is also used to schedule pickup of items ordered and to order products and services for shipping by third parties or remote storage facilities as taught by Slotznick, (3) a shipping label that also functions as a packing list as taught by Bartl, (4) a multi-ply courier waybill that includes bar code indicia on certain plies required for identification or control purposes as taught by Lambert et al., (5) carrier monitoring function, shipment tracking function all have EDI connection, and the orders are downloaded and sorted based on ship date and also by priority such as quick delivery as taught by Wojcik et al., (6) order inquiry subsystem as taught by Dudle et al., and (7) an order processing station, a packaging station and a shipping station as taught by Nicholls et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton in this way since the shipping station may include one or more computers terminals to which a scanning device, electronic scale, and mailing label printers may be attached in which the printers are capable of printing the necessary shipping documents as well as the appropriate package labeling (see at least col. 3, l. 65 through col. 4, l. 5 of Nicholls et al.), and to include a shipping label and packing list with bar code on ordered packages allows for managing and executing activities associated with inbound and outbound movement of goods (see at least col. 7, l. 41 through col. 8, l. 20 of Wojcik et al.) and bar codes allow for inventory monitoring that is scanning bar codes on inventory items indicating receipt, on-order, usage and transfer transaction on a daily basis or as they occur to prevent stock-out situations as well as usage trend data (see at least col. 9, ll. 30-65 of Dudle et al.)

Claim 2 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) further disclose a method having the limitations of:

- *further including the step of: receiving a customized component at the order center apparatus, from an ordering system including a computer; and*
- *wherein:*
 - *the step of linking includes linking the signals representing the packing list with the signals representing the customized component;*
 - *the step of receiving includes receiving the signals representing the customized component at the printer device;*

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- o *the step of printing includes printing the customized component, along with the packing list and a shipping label, at the printing device; and*
- o *the step of shipping is carried out by shipping the customized component, along with the product, from the distribution center.*

See at least at col. 3, I. 40 through col. 6, I. 45 of Hutton; see at least col. 9, II. 7-12, col. 9, II. 33-40, col. 11, I. 66 through col. 12, I. 9, col. 12, I. 46 through col. 13, I. 3 of Tackbary et al.; see at least col. 16, II. 6-17, col. 16, II. 30-42, col. 18, II. 9-12, col. 20, I. 50 through col. 21, I. 34 of Slotznick; see at least ABSTRACT, col. 1, II. 15-17, col. 1, I. 37-38, col. 2, I. 34 through col. 3, I. 35 of Bartl; see at least ABSTRACT, col. 3, II. 9-15, col. 3, II. 28-29, col. 5, II. 52-59 of Lambert et al.; see at least col. 7, I. 40 through col. 8, I. 20 of Wojcik et al.; see at least col. 9, II. 30-65 of Dudle et al.; see at least col. 3, I. 28 through col. 4, I. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 3 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Hutton at least at col. 3, I. 40 through col. 6, I. 45 further disclose a method having the limitations of:

- *wherein the step of producing signals representing a packing list and said step of printing the packing list are carried out by using flowers as the product.*

Claim 5 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. , Lambert et al. and Nicholls et al. further disclose a method having the limitations of:

- *wherein the step of printing includes printing on a sheet in the printer device; and*
- *further including the step of: locating demarcations on the sheet for detaching a shipping label from the packing list at the demarcations.*

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See at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 6 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. Bartl, Lambert et al. and Nicholls et al. further disclose a method having the limitations of:

- *further including the step of locating a perforation on the sheet for detaching a shipping label from the packing list at the perforation.*

See at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 7 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. Hutton, Tackbarry et al., Bartl, Slotznick Lambert et al. Wojcik et al., Dudle et al. and Nicholls et al. further disclose a method having the limitations of:

- *receiving a message at the order center apparatus, from an ordering system including a computer, said message from a user of the ordering system to a recipient of the flowers; and*
- *wherein:*
 - *the step of linking includes linking the signals representing the packing list with signals representing the message; and*
 - *the step of printing includes printing the message, along with the packing list and a shipping label, at the printing device at the distribution center; and*

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- o *the step of shipping is carried out by shipping the message, along with the product, from the distribution center.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbary et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 8 –

Hutton (US 5440479) in view of Tackbary et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 7 as described above. Hutton, Tackbary et al. further disclose a method having the limitations of:

- *wherein the step of printing includes printing the message at the printing device on a greeting card having preprinted artwork.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbary et al.;

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 10 –

Hutton (US 5440479) in view of Tackbary et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. Slotznick further disclose a method having the limitations of:

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- *wherein the step of assigning the waybill shipping information signals includes dynamically assigning the shipping information signals through a TCP/IP connection.*

See at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 11 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. Hutton, Tackbarry et al., Bartl, Slotznick Lambert et al. Wojcik et al., Dudle et al. and Nicholls et al. further disclose a method having the limitations of:

- *translating some of the signals, at the order center apparatus, to produce the signals representing the packing list and the shipping list signals in one digital format.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 12 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. Tackbarry et al., Slotznick further disclose a method having the limitations of:

- *wherein the step of printing is carried out with the printing device being a fax machine; and*

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- *further including the step of connecting the fax machine to a communications system for receiving of the signals representing the packing list and for receiving the shipping information signals.*

See at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 8, ll. 5-20, col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 13 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 12 as described above. Tackbarry et al., Slotznick further disclose a method having the limitations of:

- *wherein the step of connecting includes connecting an open end network gateway to a remote fax server and connecting the remote fax server to the fax machine.*

See at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 8, ll. 5-20, col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 14 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 12 as described above. Tackbarry et al., Slotznick further disclose a method having the limitations of:

- *wherein the step of connecting includes connecting a remote fax server with a fax modem in a local calling area of the distribution center and connecting the fax modem to the fax machine.*

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See at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 8, ll. 5-20, col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 15 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. Hutton in view of Tackbarry et al. and Slotznick in view of Bartl, Lambert et al., Wojcik et al., Dudle et al. and Nicholls et al. further disclose a method having the limitations of:

- *further including the steps of: associating an order code with said order;*
- *obtaining shipping status information from the shipping apparatus; and*
- *associating the order code with the shipping status information at a machine-readable site having a network gateway address in facilitating access by an ordering system, including a computer, to determine the shipping status associated with the order.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 16 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. Hutton in view of Tackbarry et al. and Slotznick in view of Bartl, Lambert et al., Wojcik et al., Dudle et al. and Nicholls et al.

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further disclose a method having the limitations of:

- *wherein said step of shipping includes shipping the product in packaging displaying a network address to facilitate an electronic communication from an ordering system, including a computer, to the order center apparatus.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbary et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 17 –

Hutton (US 5440479) in view of Tackbary et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. Hutton in view of Tackbary et al. and Slotznick in view of Bartl, Lambert et al., Wojcik et al., Dudle et al. and Nicholls et al. further disclose a method having the limitations of:

- *further including the steps of: connecting an ordering system, including a computer, to a network gateway; and*
- *connecting the network gateway to the order center apparatus.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbary et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

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The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 18 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. Slotznick and Tackbarry et al. further disclose a method having the limitations of:

- *further including the steps of: receiving ordering information at the order center by telephone; and*
- *entering the ordering information as input data to the order center apparatus in producing the signals representing the packing list.*

See at least col. 6, ll. 5-20, col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

Claim 19 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Hutton further disclose a method having the limitations of:

- *further comprising the step of producing the product at the distribution center.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton

Claim 20 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Bartl, Lambert et al., Nicholls et al. further disclose a method having the limitations of:

- *wherein the step of printing includes printing on a sheet in the printer device; and*
- *further including the step of locating a demarcation on a sheet in the printer device for detaching the packing list from a shipping label.*

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See at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 21 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Bartl, Lambert et al., Nicholls et al. further disclose a method having the limitations of:

- *wherein the step of printing includes printing on a sheet in the printer device; and*
- *further including the step of locating a perforation on the sheet for detaching a shipping label from the packing list at the perforation.*

See at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 22 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. Hutton in view of Tackbarry et al. and Slotznick in view of Bartl, Lambert et al., Wojcik et al., Dudle et al. and Nicholls et al. further disclose a method having the limitations of:

- *further including the steps of: receiving signals representing a customized component at the order center apparatus, from an ordering system including a computer, the customized component including a message from a user of the ordering system to a recipient of the product; and*
- *wherein:*
 - *the step of linking includes linking the signals representing the packing list with the signals representing the customized component;*

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- o *the step of printing includes printing the customized component, along with the packing list and a shipping label, at the printing device at the distribution center; and*
- o *the step of shipping is carried out by shipping the customized component, along with the product, from the distribution center.*

See at least at col. 3, I. 40 through col. 6, I. 45 of Hutton; see at least col. 9, II. 7-12, col. 9, II. 33-40, col. 11, I. 66 through col. 12, I. 9, col. 12, I. 46 through col. 13, I. 3 of Tackbary et al.; see at least col. 16, II. 6-17, col. 16, II. 30-42, col. 18, II. 9-12, col. 20, I. 50 through col. 21, I. 34 of Slotznick; see at least ABSTRACT, col. 1, II. 15-17, col. 1, I. 37-38, col. 2, I. 34 through col. 3, I. 35 of Bartl; see at least ABSTRACT, col. 3, II. 9-15, col. 3, II. 28-29, col. 5, II. 52-59 of Lambert et al.; see at least col. 7, I. 40 through col. 8, I. 20 of Wojcik et al.; see at least col. 9, II. 30-65 of Dudle et al.; see at least col. 3, I. 28 through col. 4, I. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 23 –

Hutton (US 5440479) in view of Tackbary et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 22 as described above. Tackbary et al. further disclose a method having the limitations of:

- *wherein the step of printing the customized component includes printing the message on a greeting card at the distribution center.*

See at least col. 9, II. 7-12, col. 9, II. 33-40, col. 11, I. 66 through col. 12, I. 9, col. 12, I. 46 through col. 13, I. 3 of Tackbary et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 25 –

Hutton (US 5440479) in view of Tackbary et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 22 as described above. Tackbary et al. further disclose a method having the limitations of:

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- *wherein the step of printing the customized element includes printing a graphical element as part of the customized component.*

See at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbary et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 26 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Slotznick further disclose a method having the limitations of:

- *wherein the step of assigning the waybill shipping information signals includes dynamically assigning the shipping information signals through a TCP/IP connection.*

See at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 27 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Hutton Tackbarry et al. and Slotznick in view of Bartl, Lambert et al., Wojcik et al., Dudle et al. and Nicholls et al. further disclose a method having the limitations of:

- *further including the step of: translating some of the signals, at the order center apparatus, to produce the signals representing the packing list and the shipping signals in one digital format.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbary et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least

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ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 28 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Tackbarry et al., Slotznick further disclose a method having the limitations of:

- *wherein the step of printing is carried out by using a fax machine as the printing device; and*
- *further including the step of connecting the fax machine to a communications system for the receiving of the signals representing the packing list.*

See at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 8, ll. 5-20, col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 29 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 28 as described above. Tackbarry et al., Slotznick further disclose a method having the limitations of:

- *wherein the step of connecting includes connecting via an open end network gateway to a remote fax server and connecting the remote fax server to the fax machine.*

See at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 8, ll. 5-20, col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 30 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 28 as described above. Tackbarry et al., Slotznick further disclose a method having the limitations of:

- *wherein the step of connecting includes connecting to a remote fax server with a fax modem in a local calling area of the distribution center for a subsequent communication to the fax machine.*

See at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 8, ll. 5-20, col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 31 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Hutton Tackbarry et al. and Slotznick in view of Bartl, Lambert et al., Wojcik et al., Dudle et al. and Nicholls et al. further disclose a method having the limitations of:

- *further including the steps of: associating an order code with said order;*
- *obtaining shipping status information from the shipping apparatus; and*
- *associating the order code with the status information at a machine-readable site having a network gateway address in facilitating access by a computer to determine shipping status associated with the order.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least

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ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 32 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Hutton Tackbarry et al. and Slotznick in view of Bartl, Lambert et al., Wojcik et al., Dudle et al. and Nicholls et al. further disclose a method having the limitations of:

- *wherein said step of shipping includes shipping the product in packaging displaying a network gateway address to facilitate an electronic communication from an ordering system, including a computer, to the order center apparatus.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 33 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Hutton further disclose a method having the limitations of:

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- *further including the steps of: connecting an ordering system, including a computer, to a network gateway; and connecting the network gateway to the order center apparatus.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton

Claim 34 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Tackbarry et al. and Slotznick further disclose a method having the limitations of:

- *further including the steps of receiving ordering information at the order center by telephone; and*
- *entering the ordering information as input data to the order center apparatus in producing the signals representing the packing list.*

See at least col. 6, ll. 5-20, col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

Claim 35 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Hutton further disclose a method having the limitations of:

- *further including the steps of: prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and*
- *subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton

Claim 36 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291)

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and Nicholls et al. (US 5485369) teach the method of claim 35 as described above. Hutton Tackbarry et al. and Slotznick in view of Bartl, Lambert et al., Wojcik et al., Dudle et al. and Nicholls et al. further disclose a method having the limitations of:

- *further including the steps of: scanning a shipping label to obtain scanning data;*
- *transmitting the scanning data to trigger the step of sending a second electronic communication.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbary et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 37 –

As per claim 37, Hutton at least at col. 3, l. 40 through col. 6, l. 45, disclose *a system facilitating a product shipment* having the limitations of:

- *an order center apparatus, located at an order center, producing signals representing an order of a product, the order center apparatus including a computer having a programmed processor;*
- *shipping the product from the distribution center*

Hutton does not explicitly disclose:

- *an order center apparatus, located at an order center, producing signals representing a packing list for an order of a product,*
- *a shipping apparatus, including a digital computer, assigning waybill shipping information signals for the order;*
- *a printer device, located at a distribution center located separate from the order center, receiving the signals representing the packing list and the shipping information signals, and printing the packing list at the printer device to facilitate shipping the product specified by the packing list, in accordance with the waybill shipping information signals.*

Tackbarry et al. and Slotznick in view of Bard, Lambert et al., Wojcik et al. and Nicholls et al. teach an order center apparatus, located at an order center, producing signals representing a packing list for an order of a product; a shipping apparatus, including a digital computer, assigning waybill shipping information signals for the order; a printer device, located at a distribution center located separate from the order center, receiving the signals representing the packing list and the shipping information signals, and printing the packing list at the printer device to facilitate shipping the product specified by the packing list, in accordance with the waybill shipping information signals (see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the system of Hutton to include (1) inserting a gift with the selected card and choosing the method by which the card is sent, i.e. Federal Express, United Parcel Service, United States Mail, or Overnight Delivery as taught by Tackbarry et al., (2) inputting the order (i.e. flowers, greeting cards, etc.) via a kiosk or personal computer which digitizes and encodes the input data for transmission to a central hub or server through a communication medium or transmission system which includes networks (such as the internet), telephone systems, facsimile, etc. and at the central hub a modem reconstitutes the data into an electronic form usable by the CPU in which one or more output devices are connected, i.e. card stock or other merchandise feeder and a modem, in which the feeder stores and feeds merchandise such as card blanks to a printer or other equipment for personalizing and encoding merchandise, in addition the modem is also used to schedule pickup of items ordered and to order products and services for shipping by third parties or remote storage facilities as taught by Slotznick, (3) a shipping label that also functions as a packing list as taught by Bartl, (4) a multi-ply courier waybill that includes bar code indicia on certain plies required for identification or control purposes as taught by Lambert et al., (5) carrier monitoring function, shipment tracking function all have EDI connection, and the orders are downloaded and sorted based on ship date and also by priority such as quick delivery as taught by Wojcik et al., (6) order inquiry subsystem as taught by Dudle et al., and (7) an order processing station, a packaging station and a shipping station as taught by Nicholls et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the system of Hutton in this way since the shipping station may include one or more computers terminals to which a scanning device, electronic scale, and mailing label printers may be attached in which the printers are capable of printing the necessary shipping documents as well as the appropriate package labeling (see at least col. 3, l. 65 through col. 4, l. 5 of Nicholls et al.), and to include a shipping label and packing list with bar code on ordered packages allows for managing and executing activities associated with inbound and

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outbound movement of goods (see at least col. 7, l. 41 through col. 8, l. 20 of Wojcik et al.) and bar codes allow for inventory monitoring that is scanning bar codes on inventory items indicating receipt, on-order, usage and transfer transaction on a daily basis or as they occur to prevent stock-out situations as well as usage trend data (see at least col. 9, ll. 30-65 of Dudle et al.)

Claim 39 –

As per claim 39, Hutton at least at col. 3, l. 40 through col. 6, l. 45, disclose *a method for using an order center apparatus to ship a product* having the limitations of:

- *providing the order center apparatus including a computer having a processor controlled by a computer program in producing output signals representing an order of the product;*
- *shipping the product from the distribution center.*

Hutton does not explicitly disclose:

- *providing the order center apparatus output signals representing a packing list; producing waybill shipping information signals at a shipping system, including a computer;*
- *connecting the order center apparatus to a communications system, including the Internet, for transmitting the electrical signals representing the packing list;*
- *connecting the shipping system to a communications system, including the Internet, for transmitting the electrical signals representing the waybill shipping information signals;*
- *linking the signals representing the order with the signals representing the waybill shipping information;*
- *locating a printer device linked to the communications system at a distribution center separate from the ordering center and separate from the shipping system;*
- *receiving the signals representing the packing list at the printer device;*
- *receiving the signals representing the waybill shipping information signals at the printer device;*
- *printing a waybill at the printer from the waybill shipping information signals; printing a packing list from the signals representing the packing list; and*
- *shipping the product specified by the packing list, according to the waybill.*

Tackbarry et al. and Slotznick in view of Bard, Lambert et al., Wojcik et al. and Nicholls et al. teach *providing the order center apparatus output signals representing a packing list; producing waybill shipping information signals at a shipping system, including a computer; connecting the order center apparatus to a communications system, including the Internet, for transmitting the electrical signals representing the*

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packing list; connecting the shipping system to a communications system, including the Internet, for transmitting the electrical signals representing the waybill shipping information signals; linking the signals representing the order with the signals representing the waybill shipping information; locating a printer device linked to the communications system at a distribution center separate from the ordering center and separate from the shipping system; receiving the signals representing the packing list at the printer device; receiving the signals representing the waybill shipping information signals at the printer device; printing a waybill at the printer from the waybill shipping information signals; printing a packing list from the signals representing the packing list; and shipping the product specified by the packing list, according to the waybill (see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbary et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton to include (1) inserting a gift with the selected card and choosing the method by which the card is sent, i.e. Federal Express, United Parcel Service, United States Mail, or Overnight Delivery as taught by Tackbary et al., (2) inputting the order (i.e. flowers, greeting cards, etc.) via a kiosk or personal computer which digitizes and encodes the input data for transmission to a central hub or server through a communication medium or transmission system which includes networks (such as the internet), telephone systems, facsimile, etc. and at the central hub a modem reconstitutes the data into an electronic form usable by the CPU in which one or more output devices are connected, i.e. card stock or other merchandise feeder and a modem, in which the feeder stores and feeds merchandise such as card blanks to a printer or other equipment for personalizing and encoding merchandise, in addition the modem is also used to schedule pickup of items ordered and to order products and services for shipping by third parties or remote storage facilities as taught by Slotznick, (3) a shipping label that also functions as a packing list as taught by Bartl, (4) a multi-ply courier waybill that includes bar code indicia on certain plies required for identification or control purposes as taught by Lambert et al., (5) carrier monitoring function, shipment tracking function all have EDI connection, and the orders are downloaded and sorted based on ship date and also by priority such as quick delivery as taught by Wojcik et al., (6) order inquiry subsystem as taught by Dudle et al., and (7) an order processing station, a packaging station and a shipping station as taught by Nicholls et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton in this way since the shipping station may include one or more computers terminals to which a scanning device, electronic scale, and mailing label printers may be attached in which the printers are capable of printing the necessary shipping documents as well as the appropriate package labeling (see at least col. 3, l. 65 through col. 4, l. 5 of Nicholls et al.),

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and to include a shipping label and packing list with bar code on ordered packages allows for managing and executing activities associated with inbound and outbound movement of goods (see at least col. 7, l. 41 through col. 8, l. 20 of Wojcik et al.) and bar codes allow for inventory monitoring that is scanning bar codes on inventory items indicating receipt, on-order, usage and transfer transaction on a daily basis or as they occur to prevent stock-out situations as well as usage trend data (see at least col. 9, ll. 30-65 of Dudle et al.)

Claim 40 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Slotznick further disclose a method having the limitations of:

- *wherein any one of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.*

See at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 41 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Slotznick further disclose a method having the limitations of:

- *wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.*

See at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

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The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claim 42 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Slotznick further disclose a method having the limitations of:

- *wherein all of the steps of assigning shipping information signals linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.*

See at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Claims 49-118 –

Claims 49-118 depend indirectly from claim 1. Each of claims 49-83 depend from claims 2-36, respectively. Each of claims 84-118 depend from claims 2-36, respectively. Claims 49-118 recite the same or similar limitations as those addressed above for claim 40. Claims 49-118 are therefore rejected for the same reasons as set for above for at least claim 40.

Claim 119 –

As per claim 119, Hutton at least at col. 3, l. 40 through col. 6, l. 45, disclose *a method for making a apparatus for shipping by using an order center apparatus* having the limitations of:

- *producing signals representing a packing list for an order of the product with the order center apparatus, located at an order center, the order center apparatus including a computer having a programmed processor;*
- *producing the product;*
- *shipping the product from the distribution center.*

Hutton does not explicitly disclose:

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- *assigning waybill shipping information signals to the order with a shipping apparatus including a digital computer;*
- *linking, by digital communication, the signals representing the packing list with the waybill shipping information signals;*
- *receiving the signals representing the packing list at a printer device at a distribution center located separately from the order center;*
- *printing the packing list at the printer device; and shipping the product specified by the packing list, in accordance with the waybill shipping information signals, from the distribution center.*

Tackbarry et al. and Slotznick in view of Bard, Lambert et al., Wojcik et al. and Nicholls et al. teach *assigning waybill shipping information signals to the order with a shipping apparatus including a digital computer; linking, by digital communication, the signals representing the packing list with the waybill shipping information signals; receiving the signals representing the packing list at a printer device at a distribution center located separately from the order center; printing the packing list at the printer device; and shipping the product specified by the packing list, in accordance with the waybill shipping information signals, from the distribution center* (see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton to include (1) inserting a gift with the selected card and choosing the method by which the card is sent, i.e. Federal Express, United Parcel Service, United States Mail, or Overnight Delivery as taught by Tackbarry et al., (2) inputting the order (i.e. flowers, greeting cards, etc.) via a kiosk or personal computer which digitizes and encodes the input data for transmission to a central hub or server through a communication medium or transmission system which includes networks (such as the internet), telephone systems, facsimile, etc. and at the central hub a modem reconstitutes the data into an electronic form usable by the CPU in which one or more output devices are connected, i.e. card stock or other merchandise feeder and a modem, in which the feeder stores and feeds merchandise such as card blanks to a printer or other equipment for personalizing and encoding merchandise, in addition the modem is also used to schedule pickup of items ordered and to order products and services for shipping by third parties or remote storage facilities as taught by Slotznick, (3) a shipping label that also functions as a packing list as taught by Bartl, (4) a multi-ply courier waybill that includes bar code indicia on certain plies required for identification or control purposes as taught by Lambert et al., (5) carrier monitoring function,

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shipment tracking function all have EDI connection, and the orders are downloaded and sorted based on ship date and also by priority such as quick delivery as taught by Wojcik et al., (6) order inquiry subsystem as taught by Dudle et al., and (7) an order processing station, a packaging station and a shipping station as taught by Nicholls et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton in this way since the shipping station may include one or more computers terminals to which a scanning device, electronic scale, and mailing label printers may be attached in which the printers are capable of printing the necessary shipping documents as well as the appropriate package labeling (see at least col. 3, l. 65 through col. 4, l. 5 of Nicholls et al.), and to include a shipping label and packing list with bar code on ordered packages allows for managing and executing activities associated with inbound and outbound movement of goods (see at least col. 7, l. 41 through col. 8, l. 20 of Wojcik et al.) and bar codes allow for inventory monitoring that is scanning bar codes on inventory items indicating receipt, on-order, usage and transfer transaction on a daily basis or as they occur to prevent stock-out situations as well as usage trend data (see at least col. 9, ll. 30-65 of Dudle et al.)

Claim 121 –

As per claim 121, Hutton at least at col. 3, l. 40 through col. 6, l. 45, disclose *a method for making a product for shipping by using an order center apparatus* having the limitations of:

- *providing the order center apparatus at an order center, the order center apparatus including a computer having a processor controlled by a computer program in producing output signals representing a packing list for an order of the product;*
- *producing the product;*
- *shipping the product from the distribution center.*

Hutton does not explicitly disclose:

- *producing waybill shipping information signals at a shipping system, including a computer;*
- *linking the order center apparatus to a communications system, including the Internet, for transmitting the electrical signals representing the packing list;*
- *linking the shipping system to a communications system, including the Internet, for transmitting the electrical signals representing the packing list;*
- *locating a printer device linked to the communications system at a distribution center separate from the ordering center and separate from the shipping system;*
- *receiving the packing list at the printer device; receiving the signals representing the waybill shipping information signals at the printer device;*
- *printing a waybill at the printer from the waybill shipping information signals;*

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- *printing a packing list from the signals representing the packing list; and*
- *shipping the product specified by the packing list, according to the waybill, from the distribution center.*

Tackbarry et al. and Slotznick in view of Bard, Lambert et al., Wojcik et al. and Nicholls et al. teach *producing waybill shipping information signals at a shipping system, including a computer; linking the order center apparatus to a communications system, including the Internet, for transmitting the electrical signals representing the packing list; linking the shipping system to a communications system, including the Internet, for transmitting the electrical signals representing the packing list; locating a printer device linked to the communications system at a distribution center separate from the ordering center and separate from the shipping system; receiving the packing list at the printer device; receiving the signals representing the waybill shipping information signals at the printer device; printing a waybill at the printer from the waybill shipping information signals; printing a packing list from the signals representing the packing list; and shipping the product specified by the packing list, according to the waybill, from the distribution center* (see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton to include (1) inserting a gift with the selected card and choosing the method by which the card is sent, i.e. Federal Express, United Parcel Service, United States Mail, or Overnight Delivery as taught by Tackbarry et al., (2) inputting the order (i.e. flowers, greeting cards, etc.) via a kiosk or personal computer which digitizes and encodes the input data for transmission to a central hub or server through a communication medium or transmission system which includes networks (such as the internet), telephone systems, facsimile, etc. and at the central hub a modem reconstitutes the data into an electronic form usable by the CPU in which one or more output devices are connected, i.e. card stock or other merchandise feeder and a modem, in which the feeder stores and feeds merchandise such as card blanks to a printer or other equipment for personalizing and encoding merchandise, in addition the modem is also used to schedule pickup of items ordered and to order products and services for shipping by third parties or remote storage facilities as taught by Slotznick, (3) a shipping label that also functions as a packing list as taught by Bartl, (4) a multi-ply courier waybill that includes bar code indicia on certain plies required for identification or control purposes as taught by Lambert et al., (5) carrier monitoring function, shipment tracking function all have EDI connection, and the orders are downloaded and sorted based on ship date and also by priority

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such as quick delivery as taught by Wojcik et al., (6) order inquiry subsystem as taught by Dudle et al., and (7) an order processing station, a packaging station and a shipping station as taught by Nicholls et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton in this way since the shipping station may include one or more computers terminals to which a scanning device, electronic scale, and mailing label printers may be attached in which the printers are capable of printing the necessary shipping documents as well as the appropriate package labeling (see at least col. 3, l. 65 through col. 4, l. 5 of Nicholls et al.), and to include a shipping label and packing list with bar code on ordered packages allows for managing and executing activities associated with inbound and outbound movement of goods (see at least col. 7, l. 41 through col. 8, l. 20 of Wojcik et al.) and bar codes allow for inventory monitoring that is scanning bar codes on inventory items indicating receipt, on-order, usage and transfer transaction on a daily basis or as they occur to prevent stock-out situations as well as usage trend data (see at least col. 9, ll. 30-65 of Dudle et al.)

Claim 125 –

Claim 125 depends from claim 39 addressed above. Claim 39 recites similar limitations as those addressed above for claim 1. Claim 125 recites similar limitations as those addressed above for claim 35. Claims 125 which depends from claim 39 is therefore rejected for the same reasons as set forth above for claim 35 which depends from claim 1.

Claim 128 –

Claim 128 depends from claim 119 addressed above. Claim 119 recites similar limitations as those addressed above for claim 1. Claim 128 recites similar limitations as those addressed above for claim 35. Claims 128 which depends from claim 119 is therefore rejected for the same reasons as set forth above for claim 35 which depends from claim 1.

Claim 130 –

Claim 130 depends from claim 121 addressed above. Claim 121 recites similar limitations as those addressed above for claim 1. Claim 130 recites similar limitations as those addressed above for claim 35. Claim 130 which depends from claim 121 is therefore rejected for the same reasons as set forth above for claim 35 which depends from claim 1.

Claims 133-139 –

Claims 133-139 depends from claims 2-4, 7, 15, 22, 27 addressed above. Claim 2-4, 7, 15, 22, 27 depend indirectly from claim 1 and therefore, claims 133-139 also depend indirectly from claim 1. Claims 133-139 recites similar limitations as those addressed above for claim 35. Claims 133-139 which

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depends from claims 2-4, 7, 15, 22, 27 are therefore rejected for the same reasons as set forth above for claim 35 which depends from claim 1.

Claims 140-146 –

Claims 140-146 depends from claims 1-4, 7, 15, 22, 27 addressed above. Claim 2-4, 7, 15, 22, 27 depend indirectly from claim 1 and therefore, claims 141-147 also depend indirectly from claim 1. Claims 140-146 recites similar limitations as those addressed above for claim 34. Claims 140-147 which depends from claims 1-4, 7, 15, 22, 27 are therefore rejected for the same reasons as set forth above for claim 34 which depends from claim 1.

Claims 148, 150, 152 –

Claims 148, 150, 152 depends from claims 39, 119, 121 addressed above. Claims 39, 119, 121 recite similar limitations as those addressed above for claim 1. Claims 148, 150, 152 recites similar limitations as those addressed above for claim 34. Claims 148, 150, 152 which depends from claims 39, 119, 121 are therefore rejected for the same reasons as set forth above for claim 34 which depends from claim 1.

Claim 268 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Hutton in view of Tackbarry et al. and Slotznick in view of Bartl, Lambert et al., Wojcik et al., Dudle et al. and Nicholls et al. further disclose a method having the limitations of:

- *further including the step of providing order tracking and delivery information over the Internet for waybill shipping in accordance with the order.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

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Claims 269-305, 307-310 –

Claims 269-305, 307-310 depend from claims 1-37, 39-42 addressed above. Claims 2-37, 41-42 depend indirectly from claim 1 and therefore, claims 270-305, 309-310 also depend indirectly from claim 1. Claims 269-305, 307-310 recites similar limitations as those addressed above for claim 268. Claim 39 recites similar limitations to those addressed above for claim 1. Claims 269-305 which depends from claims 1-37, claims 307-310 depends from claims 39-42, and are therefore rejected for the same reasons as set forth above for claim 268 which depends from claim 1.

19. Claims 38, 43-45, 47, 120, 122-124, 126-127, 129, 131-132, 147, 149, 151, 306, 311-315, 317-325 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Slotznick (US 5983200), and Tobin (US 6141666) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369).

Claim 38 –

As per claim 38, Hutton at least at col. 3, l. 40 through col. 6, l. 45, disclose *a method for using an order center apparatus to ship a product* having the limitations of:

- *receiving an order at the order center apparatus located at an order center, the order center apparatus including a computer having a processor;*

Hutton does not explicitly disclose:

- *receiving an order from a web site at the order center apparatus located at an order center;*
- *controlling the processor with a computer program to the produce signals representing a packing list for the order;*
- *receiving a waybill tracking number receiving from a shipping system including a computer;*
- *associating signals representing the waybill tracking number with said signals representing the order;*
- *locating a printer device at a distribution center separate from the order center and separate from the shipping system;*
- *printing the packing list at the printer device from the signals representing the packing list; and*
- *locating the product identified by the packing list in packaging for courier shipment from the distribution center according to a waybill corresponding to the waybill tracking number.*

Tackbarry et al., Slotznick, Tobin in view of Bard, Lambert et al., Wojcik et al. and Nicholls et al. teach *receiving an order from a web site at the order center apparatus located at an order center; controlling the*

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processor with a computer program to the produce signals representing a packing list for the order; receiving a waybill tracking number receiving from a shipping system including a computer; associating signals representing the waybill tracking number with said signals representing the order; locating a printer device at a distribution center separate from the order center and separate from the shipping system; printing the packing list at the printer device from the signals representing the packing list; and locating the product identified by the packing list in packaging for courier shipment from the distribution center according to a waybill corresponding to the waybill tracking number (see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbary et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least col. 6, l. 55 through col. 7, l. 67 of Tobin; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton to include (1) inserting a gift with the selected card and choosing the method by which the card is sent, i.e. Federal Express, United Parcel Service, United States Mail, or Overnight Delivery as taught by Tackbary et al., (2) inputting the order (i.e. flowers, greeting cards, etc.) via a kiosk or personal computer which digitizes and encodes the input data for transmission to a central hub or server through a communication medium or transmission system which includes networks (such as the internet), telephone systems, facsimile, etc. and at the central hub a modem reconstitutes the data into an electronic form usable by the CPU in which one or more output devices are connected, i.e. card stock or other merchandise feeder and a modem, in which the feeder stores and feeds merchandise such as card blanks to a printer or other equipment for personalizing and encoding merchandise, in addition the modem is also used to schedule pickup of items ordered and to order products and services for shipping by third parties or remote storage facilities as taught by Slotznick, (3) PC Flowers & Gifts website providing internet consumers a variety of floral and gift purchasing arrangements as taught by Tobin (4) a shipping label that also functions as a packing list as taught by Bartl, (5) a multi-ply courier waybill that includes bar code indicia on certain plies required for identification or control purposes as taught by Lambert et al., (6) carrier monitoring function, shipment tracking function all have EDI connection, and the orders are downloaded and sorted based on ship date and also by priority such as quick delivery as taught by Wojcik et al., (7) order inquiry subsystem as taught by Dudle et al., and (8) an order processing station, a packaging station and a shipping station as taught by Nicholls et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton in this way since the shipping station may include one or more computers terminals to which a scanning device, electronic scale, and mailing label printers may be attached in which the printers are capable of printing the necessary shipping documents as well as the appropriate package labeling (see at least col. 3, l. 65

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through col. 4, l. 5 of Nicholls et al.), and to include a shipping label and packing list with bar code on ordered packages allows for managing and executing activities associated with inbound and outbound movement of goods (see at least col. 7, l. 41 through col. 8, l. 20 of Wojcik et al.) and bar codes allow for inventory monitoring that is scanning bar codes on inventory items indicating receipt, on-order, usage and transfer transaction on a daily basis or as they occur to prevent stock-out situations as well as usage trend data (see at least col. 9, ll. 30-65 of Dudle et al.)

Claim 43 –

As per claim 43, Hutton at least at col. 3, l. 40 through col. 6, l. 45, disclose *a method for using an order center apparatus to enable shipping a gift and a user-composed greeting message to a recipient having the limitations of:*

- *specifying the gift and the user-composed greeting message with an ordering system, including a computer,*

Hutton does not explicitly disclose:

- *connected to a web site;*
- *connecting the web site to the order center apparatus including a processor controlled by a computer program to carry out steps of:*
 - *linking electronic signals representing the gift with the user-composed greeting message in communicating over the Internet for receipt by the recipient;*
 - *controlling the shipping of the gift to the recipient by obtaining shipping waybill data from a shipping apparatus; and*
 - *linking signals representing the order with the signals representing the waybill shipping data.*

Tackbarry et al., Slotznick, Tobin in view of Bard, Lambert et al., Wojcik et al. and Nicholls et al. teach *connected to a web site; connecting the web site to the order center apparatus including a processor controlled by a computer program to carry out steps of: linking electronic signals representing the gift with the user-composed greeting message in communicating over the Internet for receipt by the recipient; controlling the shipping of the gift to the recipient by obtaining shipping waybill data from a shipping apparatus; and linking signals representing the order with the signals representing the waybill shipping data* (see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least col. 6, l. 55 through col. 7, l. 67 of Tobin; see at least

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ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton to include (1) inserting a gift with the selected card and choosing the method by which the card is sent, i.e. Federal Express, United Parcel Service, United States Mail, or Overnight Delivery as taught by Tackbary et al., (2) inputting the order (i.e. flowers, greeting cards, etc.) via a kiosk or personal computer which digitizes and encodes the input data for transmission to a central hub or server through a communication medium or transmission system which includes networks (such as the internet), telephone systems, facsimile, etc. and at the central hub a modem reconstitutes the data into an electronic form usable by the CPU in which one or more output devices are connected, i.e. card stock or other merchandise feeder and a modem, in which the feeder stores and feeds merchandise such as card blanks to a printer or other equipment for personalizing and encoding merchandise, in addition the modem is also used to schedule pickup of items ordered and to order products and services for shipping by third parties or remote storage facilities as taught by Slotznick, (3) PC Flowers & Gifts website providing internet consumers a variety of floral and gift purchasing arrangements as taught by Tobin (4) a shipping label that also functions as a packing list as taught by Bartl, (5) a multi-ply courier waybill that includes bar code indicia on certain plies required for identification or control purposes as taught by Lambert et al., (6) carrier monitoring function, shipment tracking function all have EDI connection, and the orders are downloaded and sorted based on ship date and also by priority such as quick delivery as taught by Wojcik et al., (7) order inquiry subsystem as taught by Dudle et al., and (8) an order processing station, a packaging station and a shipping station as taught by Nicholls et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton in this way since the shipping station may include one or more computers terminals to which a scanning device, electronic scale, and mailing label printers may be attached in which the printers are capable of printing the necessary shipping documents as well as the appropriate package labeling (see at least col. 3, l. 65 through col. 4, l. 5 of Nicholls et al.), and to include a shipping label and packing list with bar code on ordered packages allows for managing and executing activities associated with inbound and outbound movement of goods (see at least col. 7, l. 41 through col. 8, l. 20 of Wojcik et al.) and bar codes allow for inventory monitoring that is scanning bar codes on inventory items indicating receipt, on-order, usage and transfer transaction on a daily basis or as they occur to prevent stock-out situations as well as usage trend data (see at least col. 9, ll. 30-65 of Dudle et al.)

Claim 44 –

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Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin, Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 43 as described above. Hutton, Tackbarry et al. further disclose a method having the limitations of:

- *wherein the step of communicating the user-composed greeting message is carried out by using Blue Mountain-type greeting card and a graphical element.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 43.

Claim 45 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 43 as described above. Hutton and Tobin further disclose a method having the limitations of:

- *wherein the step of specifying the gift includes specifying flowers as the gift.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 6, l. 55 through col. 7, l. 67 of Tobin

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 43.

Claim 47 –

As per claim 47, Hutton at least at col. 3, l. 40 through col. 6, l. 45, disclose *a method for using an order center apparatus to implement a delivery customized and fulfilled just for a recipient* having the limitations of:

- *producing output electrical signals representing an order including a list of necessary intermediates of a flower arrangement for a delivery customized and fulfilled just for a recipient by causing an order center apparatus located at an order center to change input digital electrical*

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signals into the output digital electrical signals, the order center apparatus including a computer having a processor, the processor controlled by a computer program;

- *making the delivery customized and fulfilled just for the recipient, as specified by the list, in accordance with the waybill tracking information signals, from the distribution center.*

Hutton does not explicitly disclose:

- *digital electrical signals received from an Internet web page;*
- *assigning waybill tracking information signals to the order;*
- *linking, by digital communication, the signals representing the list with the waybill tracking information signals;*
- *communicating the signals representing the list to a printer device at a distribution center located remotely from the order center*

Tackbarry et al., Slotznick, Tobin in view of Bard, Lambert et al., Wojcik et al. and Nicholls et al. teach *digital electrical signals received from an Internet web page; assigning waybill tracking information signals to the order; linking, by digital communication, the signals representing the list with the waybill tracking information signals; communicating the signals representing the list to a printer device at a distribution center located remotely from the order center* (see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least col. 6, l. 55 through col. 7, l. 67 of Tobin; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton to include (1) inserting a gift with the selected card and choosing the method by which the card is sent, i.e. Federal Express, United Parcel Service, United States Mail, or Overnight Delivery as taught by Tackbarry et al., (2) inputting the order (i.e. flowers, greeting cards, etc.) via a kiosk or personal computer which digitizes and encodes the input data for transmission to a central hub or server through a communication medium or transmission system which includes networks (such as the internet), telephone systems, facsimile, etc. and at the central hub a modem reconstitutes the data into an electronic form usable by the CPU in which one or more output devices are connected, i.e. card stock or other merchandise feeder and a modem, in which the feeder stores and feeds merchandise such as card blanks to a printer or other equipment for personalizing and encoding merchandise, in addition the modem is also used to schedule pickup of items ordered and to order products and services for shipping by third parties or remote storage facilities as

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taught by Slotznick, (3) PC Flowers & Gifts website providing internet consumers a variety of floral and gift purchasing arrangements as taught by Tobin (4) a shipping label that also functions as a packing list as taught by Bartl, (5) a multi-ply courier waybill that includes bar code indicia on certain plies required for identification or control purposes as taught by Lambert et al., (6) carrier monitoring function, shipment tracking function all have EDI connection, and the orders are downloaded and sorted based on ship date and also by priority such as quick delivery as taught by Wojcik et al., (7) order inquiry subsystem as taught by Dudle et al., and (8) an order processing station, a packaging station and a shipping station as taught by Nicholls et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton in this way since the shipping station may include one or more computers terminals to which a scanning device, electronic scale, and mailing label printers may be attached in which the printers are capable of printing the necessary shipping documents as well as the appropriate package labeling (see at least col. 3, l. 65 through col. 4, l. 5 of Nicholls et al.), and to include a shipping label and packing list with bar code on ordered packages allows for managing and executing activities associated with inbound and outbound movement of goods (see at least col. 7, l. 41 through col. 8, l. 20 of Wojcik et al.) and bar codes allow for inventory monitoring that is scanning bar codes on inventory items indicating receipt, on-order, usage and transfer transaction on a daily basis or as they occur to prevent stock-out situations as well as usage trend data (see at least col. 9, ll. 30-65 of Dudle et al.)

Claim 120 –

As per claim 120, Hutton at least at col. 3, l. 40 through col. 6, l. 45, disclose *a method for making a product for shipping by using an order center apparatus* having the limitations of:

- *receiving an order at the order center apparatus including a computer having a processor;*
- *controlling the processor with a computer program to the produce signals representing the order;*
- *making the product;*
- *locating the product identified for courier shipment from the distribution center*

Hutton does not explicitly disclose:

- *an order from a web site; controlling the processor with a computer program to the produce signals representing a packing list for the order;*
- *receiving a waybill tracking number receiving from a shipping system including a computer;*
- *associating signals representing the waybill tracking number with said signals representing the order;*
- *locating a printer device at a distribution center separate from the order center and separate from the shipping system;*

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- *printing the packing list at the printer device from the signals representing the packing list;*
- *locating the product identified by the packing list in packaging for courier shipment from the distribution center according to a waybill corresponding to the waybill tracking number.*

Tackbarry et al., Slotznick, Tobin in view of Bard, Lambert et al., Wojcik et al. and Nicholls et al. teach *an order from a web site; controlling the processor with a computer program to produce signals representing a packing list for the order; receiving a waybill tracking number receiving from a shipping system including a computer; associating signals representing the waybill tracking number with said signals representing the order; locating a printer device at a distribution center separate from the order center and separate from the shipping system; printing the packing list at the printer device from the signals representing the packing list; locating the product identified by the packing list in packaging for courier shipment from the distribution center according to a waybill corresponding to the waybill tracking number* (see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least col. 6, l. 55 through col. 7, l. 67 of Tobin; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton to include (1) inserting a gift with the selected card and choosing the method by which the card is sent, i.e. Federal Express, United Parcel Service, United States Mail, or Overnight Delivery as taught by Tackbarry et al., (2) inputting the order (i.e. flowers, greeting cards, etc.) via a kiosk or personal computer which digitizes and encodes the input data for transmission to a central hub or server through a communication medium or transmission system which includes networks (such as the internet), telephone systems, facsimile, etc. and at the central hub a modem reconstitutes the data into an electronic form usable by the CPU in which one or more output devices are connected, i.e. card stock or other merchandise feeder and a modem, in which the feeder stores and feeds merchandise such as card blanks to a printer or other equipment for personalizing and encoding merchandise, in addition the modem is also used to schedule pickup of items ordered and to order products and services for shipping by third parties or remote storage facilities as taught by Slotznick, (3) PC Flowers & Gifts website providing internet consumers a variety of floral and gift purchasing arrangements as taught by Tobin (4) a shipping label that also functions as a packing list as taught by Bartl, (5) a multi-ply courier waybill that includes bar code indicia on certain plies required for identification or control purposes as taught by Lambert et al., (6) carrier monitoring function, shipment tracking function all have EDI connection, and the orders are downloaded and sorted based on ship date

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and also by priority such as quick delivery as taught by Wojcik et al., (7) order inquiry subsystem as taught by Dudle et al., and (8) an order processing station, a packaging station and a shipping station as taught by Nicholls et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton in this way since the shipping station may include one or more computers terminals to which a scanning device, electronic scale, and mailing label printers may be attached in which the printers are capable of printing the necessary shipping documents as well as the appropriate package labeling (see at least col. 3, l. 65 through col. 4, l. 5 of Nicholls et al.), and to include a shipping label and packing list with bar code on ordered packages allows for managing and executing activities associated with inbound and outbound movement of goods (see at least col. 7, l. 41 through col. 8, l. 20 of Wojcik et al.) and bar codes allow for inventory monitoring that is scanning bar codes on inventory items indicating receipt, on-order, usage and transfer transaction on a daily basis or as they occur to prevent stock-out situations as well as usage trend data (see at least col. 9, ll. 30-65 of Dudle et al.)

Claim 122 –

As per claim 122, Hutton at least at col. 3, l. 40 through col. 6, l. 45, disclose *a process for making a product for shipping* having the limitations of:

- *enabling a user of an ordering system to ship the product as a gift and communicate a message to a recipient by connecting the ordering system, including a computer,*
- *making the product for the shipping;*

Hutton does not explicitly disclose:

- *to a web site;*
- *connecting the web site to the order center apparatus including a processor controlled by a computer program to carry out steps of:*
- *linking electronic signals representing the gift with the message in communicating over the Internet for receipt by the recipient;*
- *controlling the shipping of the gift to the recipient by obtaining shipping waybill data from a shipping apparatus; and*
- *linking signals representing the order with the signals representing the waybill shipping data.*

Tackbarry et al., Slotznick, Tobin in view of Bard, Lambert et al., Wojcik et al. and Nicholls et al. teach *to a web site; connecting the web site to the order center apparatus including a processor controlled by a computer program to carry out steps of: linking electronic signals representing the gift with the message in communicating over the Internet for receipt by the recipient; controlling the shipping of the gift to the*

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recipient by obtaining shipping waybill data from a shipping apparatus; and linking signals representing the order with the signals representing the waybill shipping data (see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbary et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least col. 6, l. 55 through col. 7, l. 67 of Tobin; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton to include (1) inserting a gift with the selected card and choosing the method by which the card is sent, i.e. Federal Express, United Parcel Service, United States Mail, or Overnight Delivery as taught by Tackbary et al., (2) inputting the order (i.e. flowers, greeting cards, etc.) via a kiosk or personal computer which digitizes and encodes the input data for transmission to a central hub or server through a communication medium or transmission system which includes networks (such as the internet), telephone systems, facsimile, etc. and at the central hub a modem reconstitutes the data into an electronic form usable by the CPU in which one or more output devices are connected, i.e. card stock or other merchandise feeder and a modem, in which the feeder stores and feeds merchandise such as card blanks to a printer or other equipment for personalizing and encoding merchandise, in addition the modem is also used to schedule pickup of items ordered and to order products and services for shipping by third parties or remote storage facilities as taught by Slotznick, (3) PC Flowers & Gifts website providing internet consumers a variety of floral and gift purchasing arrangements as taught by Tobin (4) a shipping label that also functions as a packing list as taught by Bartl, (5) a multi-ply courier waybill that includes bar code indicia on certain plies required for identification or control purposes as taught by Lambert et al., (6) carrier monitoring function, shipment tracking function all have EDI connection, and the orders are downloaded and sorted based on ship date and also by priority such as quick delivery as taught by Wojcik et al., (7) order inquiry subsystem as taught by Dudle et al., and (8) an order processing station, a packaging station and a shipping station as taught by Nicholls et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton in this way since the shipping station may include one or more computers terminals to which a scanning device, electronic scale, and mailing label printers may be attached in which the printers are capable of printing the necessary shipping documents as well as the appropriate package labeling (see at least col. 3, l. 65 through col. 4, l. 5 of Nicholls et al.), and to include a shipping label and packing list with bar code on ordered packages allows for managing and executing activities associated with inbound and outbound movement of goods (see at least col. 7, l. 41 through col. 8, l. 20 of Wojcik et al.) and bar codes allow for inventory monitoring that is scanning bar codes on inventory items indicating receipt, on-order, usage and transfer transaction on a daily basis or as they

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occur to prevent stock-out situations as well as usage trend data (see at least col. 9, ll. 30-65 of Dudle et al.)

Claim 123 –

As per claim 123, Hutton at least at col. 3, l. 40 through col. 6, l. 45, disclose *method for making a product for shipping by using an order center apparatus to implement a delivery customized and fulfilled just for a recipient having the limitations of:*

- *producing output electrical signals representing a list of necessary intermediates of a flower arrangement as the product for a delivery customized and fulfilled just for a recipient*
- *the order center apparatus including a computer having a processor, the processor controlled by a computer program*
- *making the product;*
- *making the delivery customized and fulfilled just for the recipient from the distribution center.*

Hutton does not explicitly disclose:

- *causing an order center apparatus located at an order center to change input digital electrical signals received from an Internet web page into the output digital electrical signals;*
- *assigning waybill tracking information signals to the order; linking, by digital communication, the signals representing the list with the waybill tracking information signals;*
- *communicating the signals representing the list to a printer device at a distribution center located remotely from the order center;*
- *making the delivery customized and fulfilled just for the recipient, as specified by the list, in accordance with the waybill tracking information signals, from the distribution center.*

Tackbarry et al., Slotznick, Tobin in view of Bard, Lambert et al., Wojcik et al. and Nicholls et al. teach *causing an order center apparatus located at an order center to change input digital electrical signals received from an Internet web page into the output digital electrical signals, the order center apparatus including a computer having a processor, the processor controlled by a computer program; assigning waybill tracking information signals to the order; linking, by digital communication, the signals representing the list with the waybill tracking information signals; communicating the signals representing the list to a printer device at a distribution center located remotely from the order center; making the delivery customized and fulfilled just for the recipient, as specified by the list, in accordance with the waybill tracking information signals, from the distribution center* (see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least

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col. 6, I. 55 through col. 7, I. 67 of Tobin; see at least ABSTRACT, col. 1, II. 15-17, col. 1, I. 37-38, col. 2, I. 34 through col. 3, I. 35 of Bartl; see at least ABSTRACT, col. 3, II. 9-15, col. 3, II. 28-29, col. 5, II. 52-59 of Lambert et al.; see at least col. 7, I. 40 through col. 8, I. 20 of Wojcik et al.; see at least col. 9, II. 30-65 of Dudle et al.; see at least col. 3, I. 28 through col. 4, I. 7 of Nicholls et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton to include (1) inserting a gift with the selected card and choosing the method by which the card is sent, i.e. Federal Express, United Parcel Service, United States Mail, or Overnight Delivery as taught by Tackbary et al., (2) inputting the order (i.e. flowers, greeting cards, etc.) via a kiosk or personal computer which digitizes and encodes the input data for transmission to a central hub or server through a communication medium or transmission system which includes networks (such as the internet), telephone systems, facsimile, etc. and at the central hub a modem reconstitutes the data into an electronic form usable by the CPU in which one or more output devices are connected, i.e. card stock or other merchandise feeder and a modem, in which the feeder stores and feeds merchandise such as card blanks to a printer or other equipment for personalizing and encoding merchandise, in addition the modem is also used to schedule pickup of items ordered and to order products and services for shipping by third parties or remote storage facilities as taught by Slotznick, (3) PC Flowers & Gifts website providing internet consumers a variety of floral and gift purchasing arrangements as taught by Tobin (4) a shipping label that also functions as a packing list as taught by Bartl, (5) a multi-ply courier waybill that includes bar code indicia on certain plies required for identification or control purposes as taught by Lambert et al., (6) carrier monitoring function, shipment tracking function all have EDI connection, and the orders are downloaded and sorted based on ship date and also by priority such as quick delivery as taught by Wojcik et al., (7) order inquiry subsystem as taught by Dudle et al., and (8) an order processing station, a packaging station and a shipping station as taught by Nicholls et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton in this way since the shipping station may include one or more computers terminals to which a scanning device, electronic scale, and mailing label printers may be attached in which the printers are capable of printing the necessary shipping documents as well as the appropriate package labeling (see at least col. 3, I. 65 through col. 4, I. 5 of Nicholls et al.), and to include a shipping label and packing list with bar code on ordered packages allows for managing and executing activities associated with inbound and outbound movement of goods (see at least col. 7, I. 41 through col. 8, I. 20 of Wojcik et al.) and bar codes allow for inventory monitoring that is scanning bar codes on inventory items indicating receipt, on-order, usage and transfer transaction on a daily basis or as they occur to prevent stock-out situations as well as usage trend data (see at least col. 9, II. 30-65 of Dudle et al.)

Claim 124 –

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Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin, and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 38 as described above. Hutton further disclose a method having the limitations of:

- *further including the steps of: prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and*
- *subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton

Claim 126-127 –

Claims 126-127 depend from claims 43, 47 respectively and addressed above. Claims 43, 47 recites similar limitations as those addressed above for claim 38. Claims 126-127 recites similar limitations as those addressed above for claim 124. Claims 126-127 which depends from claims 43, 47 are therefore rejected for the same reasons as set forth above for claim 124 which depends from claim 38.

Claim 129 –

Claim 129 depends from claims 120 respectively and addressed above. Claim 120 recites similar limitations as those addressed above for claim 38. Claim 129 recites similar limitations as those addressed above for claim 124. Claim 129 which depends from claim 120 are therefore rejected for the same reasons as set forth above for claim 124 which depends from claim 38.

Claim 131-132 –

Claims 131-132 depend from claims 122, 123 respectively and addressed above. Claims 122, 123 recites similar limitations as those addressed above for claim 38. Claims 131-132 recites similar limitations as those addressed above for claim 124. Claims 131-132 which depends from claims 122, 123 are therefore rejected for the same reasons as set forth above for claim 124 which depends from claim 38.

Claim 147 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291)

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and Nicholls et al. (US 5485369) teach the method of claim 1 as described above. Tackbarry et al. and Slotznick further disclose a method having the limitations of:

- *further including the steps of: providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and*
- *entering the ordering information into the order center apparatus.*

See at least col. 6, ll. 5-20, col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

Claim 149 –

Claim 149 depends from claims 47 respectively and addressed above. Claim 149 recites similar limitations as those addressed above for claim 147. Claim 47 recites similar limitations as those addressed above for claim 38. Claim 149 which depends from claim 47 is therefore rejected for the same reasons as set forth above for claim 147 which depends from claim 38.

Claim 151 –

Claim 151 depends from claims 120 respectively and addressed above. Claim 151 recites similar limitations as those addressed above for claim 147. Claim 120 recites similar limitations as those addressed above for claim 38. Claim 151 which depends from claim 120 is therefore rejected for the same reasons as set forth above for claim 147 which depends from claim 38.

Claim 306 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin, Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 38 as described above. Hutton in view of Tackbarry et al., Tobin, Slotznick in view of Bartl, Lambert et al., Wojcik et al., Dudle et al. and Nicholls et al.

- further disclose a method having the limitations of:
- *further including the step of providing order tracking and delivery information over the Internet for waybill shipping in accordance with the order.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 6, l. 55 through col. 7, l. 67 of Tobin; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50

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through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 38.

Claims 311-315 –

Claims 311-315 depend from claims 43-47 addressed above. Claims 311-315 recite similar limitations as those addressed above for claim 306. Claims 43-47 recites similar limitations as those addressed above for claim 38. Claims 311-315 which depends from claims 43-47, claims and are therefore rejected for the same reasons as set forth above for claim 306 which depends from claim 38.

Claim 317 –

As per claim 317, Hutton at least at col. 3, l. 40 through col. 6, l. 45, disclose *a method for processing a product order, the method comprising: at an order processing center computer having the limitations of:*

- *identifying a product to be shipped to a recipient address;*

Hutton does not explicitly disclose:

- *transmitting data over a data network to a courier computer system, the transmitted data identifying the recipient shipping address; receiving a response from the courier computer system, the response comprising data representing a shipping waybill; determining packing list data based on the customer order data; combining the shipping waybill data with the packing list data to form an integrated shipping record; electronically transmitting the integrated shipping record from the order processing center to a remotely located distribution center; at the distribution center; and printing the integrated shipping record to allow separation of waybill and packing list components to facilitate shipping of the product specified by the packing list component in accordance with the waybill component.*

Tackbarry et al., Slotznick, Tobin in view of Bard, Lambert et al., Wojcik et al. and Nicholls et al. teach *transmitting data over a data network to a courier computer system, the transmitted data identifying the recipient shipping address; receiving a response from the courier computer system, the response comprising data representing a shipping waybill; determining packing list data based on the customer order data; combining the shipping waybill data with the packing list data to form an integrated shipping*

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record; electronically transmitting the integrated shipping record from the order processing center to a remotely located distribution center; at the distribution center; and printing the integrated shipping record to allow separation of waybill and packing list components to facilitate shipping of the product specified by the packing list component in accordance with the waybill component (see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbary et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least col. 6, l. 55 through col. 7, l. 67 of Tobin; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton to include (1) inserting a gift with the selected card and choosing the method by which the card is sent, i.e. Federal Express, United Parcel Service, United States Mail, or Overnight Delivery as taught by Tackbary et al., (2) inputting the order (i.e. flowers, greeting cards, etc.) via a kiosk or personal computer which digitizes and encodes the input data for transmission to a central hub or server through a communication medium or transmission system which includes networks (such as the internet), telephone systems, facsimile, etc. and at the central hub a modem reconstitutes the data into an electronic form usable by the CPU in which one or more output devices are connected, i.e. card stock or other merchandise feeder and a modem, in which the feeder stores and feeds merchandise such as card blanks to a printer or other equipment for personalizing and encoding merchandise, in addition the modem is also used to schedule pickup of items ordered and to order products and services for shipping by third parties or remote storage facilities as taught by Slotznick, (3) PC Flowers & Gifts website providing internet consumers a variety of floral and gift purchasing arrangements as taught by Tobin (4) a shipping label that also functions as a packing list as taught by Bartl, (5) a multi-ply courier waybill that includes bar code indicia on certain plies required for identification or control purposes as taught by Lambert et al., (6) carrier monitoring function, shipment tracking function all have EDI connection, and the orders are downloaded and sorted based on ship date and also by priority such as quick delivery as taught by Wojcik et al., (7) order inquiry subsystem as taught by Dudle et al., and (8) an order processing station, a packaging station and a shipping station as taught by Nicholls et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton in this way since the shipping station may include one or more computers terminals to which a scanning device, electronic scale, and mailing label printers may be attached in which the printers are capable of printing the necessary shipping documents as well as the appropriate package labeling (see at least col. 3, l. 65 through col. 4, l. 5 of Nicholls et al.), and to include a shipping label and packing list with bar code on ordered packages allows for managing and executing activities associated with inbound and outbound movement of goods (see at least col. 7, l. 41 through col. 8, l. 20 of Wojcik et al.) and bar codes allow for inventory monitoring that is scanning bar

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codes on inventory items indicating receipt, on-order, usage and transfer transaction on a daily basis or as they occur to prevent stock-out situations as well as usage trend data (see at least col. 9, ll. 30-65 of Dudle et al.)

Claim 318 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 317 as described above. Hutton further disclose a method having the limitations of:

- *wherein the data transmitted to the courier computer system further comprises an origination address and shipping cost determination data.*

See at least at col. 3, l. 40 through col. 6, l. 45, Figs. 7-8 of Hutton

Claim 319 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 318 as described above. Nicholls et al. and Wojcik et al. further disclose a method having the limitations of:

- *wherein the shipping cost determination data comprises product weight data.*

See at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 317.

Claim 320 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 319 as described above. Nicholls et al. and Wojcik et al. further disclose a method having the limitations of:

- *further comprising determining the product weight data by querying a database storing records associating products with weight.*

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See at least col. 3, I. 28 through col. 4, I. 7 of Nicholls et al.; see at least col. 7, I. 40 through col. 8, I. 20 of Wojcik et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 317.

Claim 321 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 317 as described above. Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) further disclose a method having the limitations of:

- *wherein: the customer order data further comprising data representing a customized message directed to the recipient;*
- *combining to form an integrated shipping record further comprises combining the data representing the customized message with the waybill data and the product list data; and*
- *printing the integrated shipping record further comprises printing the customized message on a media to be included in packaging shipped to the recipient.*

See at least col. 3, I. 40 through col. 6, I. 45 of Hutton; see at least col. 9, II. 7-12, col. 9, II. 33-40, col. 11, I. 66 through col. 12, I. 9, col. 12, I. 46 through col. 13, I. 3 of Tackbarry et al.; see at least col. 16, II. 6-17, col. 16, II. 30-42, col. 18, II. 9-12, col. 20, I. 50 through col. 21, I. 34 of Slotznick; see at least ABSTRACT, col. 1, II. 15-17, col. 1, I. 37-38, col. 2, I. 34 through col. 3, I. 35 of Bartl; see at least ABSTRACT, col. 3, II. 9-15, col. 3, II. 28-29, col. 5, II. 52-59 of Lambert et al.; see at least col. 7, I. 40 through col. 8, I. 20 of Wojcik et al.; see at least col. 9, II. 30-65 of Dudle et al.; see at least col. 3, I. 28 through col. 4, I. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 317.

Claim 322 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291)

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and Nicholls et al. (US 5485369) teach the method of claim 321 as described above. Hutton and Tackbarry et al. further disclose:

- *wherein the media comprises a greeting card.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.;

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 317.

Claim 323 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 317 as described above. Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) further disclose a method having the limitations of:

- *further comprising: transmitting a order confirmation comprising a tracking number derived from the shipping waybill.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 317.

Claim 325 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291)

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and Nicholls et al. (US 5485369) teach the method of claim 317 as described above. Hutton (US 5440479) and Tobin, Slotznick (US 5983200) further disclose a method having the limitations of:

- *wherein the product to be shipped comprises fresh flowers.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 6, l. 55 through col. 7, l. 67 of Tobin

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 317.

Claim 325 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 317 as described above. Hutton (US 5440479) and Tobin, Slotznick (US 5983200) further disclose a method having the limitations of:

- *wherein the distribution center is co-located with a fresh flower production facility providing a supply of fresh flowers for shipping.*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 6, l. 55 through col. 7, l. 67 of Tobin

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 317.

20. Claims 9 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369), as applied to claims 1-3, 5-8, 10-23, 25-37, 39-42, 49-119, 121, 125, 128, 130, 133-146, 148, 150, 152, 268-305, 307-310 above, further in view of Davis et al. (US 5825996) and Davidson et al. (US 5133496).

Claim 9 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 5 as described above. Hutton, Tackbarry et al., Bartl, Slotznick further disclose a method having the limitations of:

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- *wherein the step of printing is carried out with the sheet including a greeting card having preprinted artwork*
- *wherein the step of shipping includes separating the packaging list at the demarcations*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbary et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, ll. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl;

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) do not explicitly disclose:

- *wherein the step of printing is carried out with the sheet including a greeting card demarcations for detaching the greeting card;*
- *wherein the step of shipping includes separating the greeting card at the demarcations.*

Davis et al. and Davidson et al. teach *wherein the step of printing is carried out with the sheet including a greeting card demarcations for detaching the greeting card; wherein the step of shipping includes separating the greeting card at the demarcations* (see at least col. 11, ll. 50-62 of Davis et al.; see at least col. 2, ll. 5-25 of Davidson et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) to include printing greeting cards on perforated paper as taught by Davis et al. and Davidson et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) in this way since removing the print medium from the printer and removing the outer margin along the perforated line so that the remaining portion of the print medium becomes the finished printed output having at least a portion of the graphical image extending completely to an edge of the finished printed output (see at least col. 11, ll. 50-62 of Davis et al.) and the purpose of the tapering is to

make breaking the perforations easier and more positive when the pull tab has pressure applied to it (see at least col. 2, ll. 5-25 of Davidson et al.)

Claim 24 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 22 as described above. Hutton, Tackbarry et al., Slotznick further disclose a method having the limitations of:

- *wherein the step of printing is carried out by locating a sheet in the printer, the sheet including a greeting card for the message;*

See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbarry et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 1.

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) do not explicitly disclose:

- *the sheet including a demarcation for detaching the greeting card from the packing list*
- *further including the step of separating the packing list from the greeting card by tearing the sheet at the demarcation.*

Davis et al., Davidson et al. and Bartl teach *the sheet including a demarcation for detaching the greeting card from the packing list; further including the step of separating the packing list from the greeting card by tearing the sheet at the demarcation* (see at least col. 11, ll. 50-62 of Davis et al.; see at least col. 2, ll. 5-25 of Davidson et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) to include printing greeting cards on perforated paper as taught by Davis et al. and Davidson et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) in

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this way since removing the print medium from the printer and removing the outer margin along the perforated line so that the remaining portion of the print medium becomes the finished printed output having at least a portion of the graphical image extending completely to an edge of the finished printed output (see at least col. 11, ll. 50-62 of Davis et al.) and the purpose of the tapering is to make breaking the perforations easier and more positive when the pull tab has pressure applied to it (see at least col. 2, ll. 5-25 of Davidson et al.)

21. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369), as applied to claims 1-3, 5-8, 10-23, 25-37, 39-42, 49-119, 121, 125, 128, 130, 133-146, 148, 150, 152, 268-305, 307-310 above, further in view of Santoiemmo (US 5465530).

Claim 4 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) do not explicitly disclose:

- *further comprising the step of growing the flowers at the distribution center.*

Santoiemmo teach *further comprising the step of growing the flowers at the distribution center* (see at least col. 1, ll. 15-24). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) to include the nursery industry in which a propagator plants/cultivates seeds until maturity for shipping as taught by Santoiemmo. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158),

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Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) in this way since once the roots of the plants are packed, they may be immediately shipped to another location (mail order consumer) (see at least col. 1, ll. 33-40 of Santoiemmo).

22. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin (US 6141666), Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369), as applied to claims 38, 43-45, 47, 120, 122-124, 126-127, 129, 131-132, 147, 149, 151, 306, 311-315, 317 above, further in view of Santoiemmo (US 5465530).

Claim 46 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin, Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 43 as described above. Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin, Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) do not explicitly disclose:

- *wherein the step of specifying the gift includes specifying flowers; and further including growing the flowers at a distribution center from which the gift is shipped.*

Santoiemmo teach *wherein the step of specifying the gift includes specifying flowers; and further including growing the flowers at a distribution center from which the gift is shipped* (see at least col. 1, ll. 15-24). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin, Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) to include the nursery industry in which a propagator plants/cultivates seeds until maturity for shipping as taught by Santoiemmo. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 3 as described above. Hutton (US 5440479) in view of Tackbarry et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) in this way since once the roots of the plants are packed, they may be immediately shipped to another location (mail order consumer) (see at least col. 1, ll. 33-40 of Santoiemmo).

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23. Claims 48, 316, 193-197 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin (US 6141666), Slotnick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369), as applied to claims 38, 43-45, 47, 120, 122-124, 126-127, 129, 131-132, 147, 149, 151, 306, 311-315, 317 above, further in view of Tognazzini (US 5739512).

Claim 48 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin, Slotnick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 122 as described above. Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin, Slotnick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) do not explicitly disclose:

- *further including the step of communicating an email confirmation of the order to an electronic address of the ordering system computer.*

Tognazzini teach *further including the step of communicating an email confirmation of the order to an electronic address of the ordering system computer* (see at least Figure 4 and corresponding text). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin, Slotnick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) to include emailing a receipt as taught by Tognazzini. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin, Slotnick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) in this way since digital receipts improve the problems of paper receipts (see at least col. 1, ll. 30-35 of Tognazzini).

Claim 316 –

Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Tobin, Slotnick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 48 as described above. Hutton in view of Tackbarry et al., Tobin, Slotnick in view of Bartl, Lambert et al., Wojcik et al., Dudle et al. and Nicholls et al. further disclose a method having the limitations of:

- *further including the step of providing order tracking and delivery information over the Internet.*

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See at least at col. 3, l. 40 through col. 6, l. 45 of Hutton; see at least col. 9, ll. 7-12, col. 9, ll. 33-40, col. 11, l. 66 through col. 12, l. 9, col. 12, l. 46 through col. 13, l. 3 of Tackbary et al.; see at least col. 16, ll. 6-17, col. 16, ll. 30-42, col. 18, ll. 9-12, col. 20, l. 50 through col. 21, l. 34 of Slotznick; see at least ABSTRACT, col. 1, l. 15-17, col. 1, l. 37-38, col. 2, l. 34 through col. 3, l. 35 of Bartl; see at least ABSTRACT, col. 3, ll. 9-15, col. 3, ll. 28-29, col. 5, ll. 52-59 of Lambert et al.; see at least col. 7, l. 40 through col. 8, l. 20 of Wojcik et al.; see at least col. 9, ll. 30-65 of Dudle et al.; see at least col. 3, l. 28 through col. 4, l. 7 of Nicholls et al.

The motivation for making this modification to the teachings of Hutton is the same as that set forth above, in the rejection of Claim 122.

Claims 193-197 –

Claims 193-197 recite the same or similar limitations to those addressed above for claim 48. Claims 193-197 depend from the independent claims addressed above which recite the same or similar limitations as those addressed above for claim 122. Claims 193-197 are therefore rejected for the same reasons as set forth above for claim 48 which depends from claim 122.

24. Claims 153-192, 198-267 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hutton (US 5440479) in view of Tackbary et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369), as applied to claims 1-3, 5-8, 10-23, 25-37, 39-42, 49-119, 121, 125, 128, 130, 133-146, 148, 150, 152, 268-305, 307-310 above, further in view of further in view of Tognazzini (US 5739512).

Claim 153 –

Hutton (US 5440479) in view of Tackbary et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) teach the method of claim 1 or 2 as described above. Hutton (US 5440479) in view of Tackbary et al. (US 5555496) and Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) do not explicitly disclose:

- *further including the step of communicating an email confirmation of the order.*

Tognazzini teach *further including the step of communicating an email confirmation of the order to an electronic address of the ordering system computer* (see at least Figure 4 and corresponding text). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the

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method of Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) to include emailing a receipt as taught by Tognazzini. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Hutton (US 5440479) in view of Tackbarry et al. (US 5555496), Slotznick (US 5983200) in view of Bartl (US 5340158), Lambert et al. (US 5419591), Wojcik et al. (US 5666493), Dudle et al. (US 5570291) and Nicholls et al. (US 5485369) in this way since digital receipts improve the problems associated with paper receipts and the filing of such paper receipts (see at least col. 1, ll. 30-35 of Tognazzini).

Claims 154-192, 198-267 –

Claims 154-192, 198-267 recite the same or similar limitations to those addressed above for claim 153. Claims 154-192, 198-267 depend from the independent claims addressed above which recite the same or similar limitations as those addressed above for claim 1. Claims 154-192, 198-267 are therefore rejected for the same reasons as set forth above for claim 153 which depends from claim 1 or 2.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SARAH M. MONFELDT whose telephone number is (571)270-1833. The examiner can normally be reached on Monday-Friday 7:30am-5:00pm (EST) ALT Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571)272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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